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Letter dated 29 September 2017 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit to you herewith three diplomatic notes, dated 12 September 2017 (annex I), 7 September 2017 (annex II) and 19 July 2016 (annex III), from the Ministry of Foreign Affairs of the Socialist Republic of Viet Nam addressed to the Ministry of Foreign Affairs of the People's Republic of China concerning actions by China in the East Sea (South China Sea).

I should be grateful if you would have the present letter and its annexes circulated as a document of the General Assembly, under agenda item 77 (a).

(*Signed*) **Nguyen** Phuong Nga
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Viet Nam
to the United Nations

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Annex I to the letter dated 29 September 2017 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General

The Ministry of Foreign Affairs of the Socialist Republic of Viet Nam presents its compliments to the Ministry of Foreign Affairs of the People's Republic of China and has the honour to state as follows:

Regardless of Viet Nam's strong protest over China's military training at the area outside mouth of the Gulf of Tonkin and at the Hoang Sa (Paracel) archipelago as mentioned in its Note dated 7 September 2017 of the Ministry of Foreign Affairs of Viet Nam sent to the Ministry of Foreign Affairs of China, on 7 and 8 September 2017, China's Maritime Safety Administration continued to issue navigational warnings No. HN0090, No. HN0091 and No. HN0092 informing China's live ammunition military training at the Hoang Sa archipelago of Viet Nam from 7 to 9 September 2017.

Viet Nam is extremely discontented with and strongly opposes China's continued notification of military training at the Hoang Sa archipelago of Viet Nam. Those actions taken by China have gravely infringed upon Viet Nam's sovereignty over Hoang Sa archipelago, adding tension and instability which are not conducive to the ongoing activities by leaders of the two countries.

Viet Nam's positions on its sovereignty over the Hoang Sa and Truong Sa archipelagoes have been known to China and the international community. Viet Nam possesses ample historical evidence and legal basis to affirm its sovereignty over the Hoang Sa and Truong Sa (Spratly) archipelagoes. Viet Nam sternly requests China to respect Viet Nam's sovereignty over the Hoang Sa and Truong Sa archipelagoes, uphold the Viet Nam-China Agreement on the Basic Principles Guiding the Settlement of Sea Issues signed on 11 October 2011, the Declaration on the Conduct of Parties in the South China Sea (DOC) signed in 2002 by ASEAN and China, observe international law, put an end to and refrain from repeating any actions which further complicate the situation, and, as a big power in the region, behave in a responsible manner, thus making practical contributions to the maintenance of peace and stability in the East Sea (South China Sea) and the development of the cooperative relationship between the two countries.

Viet Nam reserves its rights to apply peaceful measures in accordance with international law to protect its sovereignty, lawful rights and legitimate interests in the East Sea.

The Ministry of Foreign Affairs of the Socialist Republic of Viet Nam avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the People's Republic of China the assurances of its highest consideration.

Ha Noi, 12 September 2017

Annex II to the letter dated 29 September 2017 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General

The Ministry of Foreign Affairs of the Socialist Republic of Viet Nam presents its compliments to the Ministry of Foreign Affairs of the People's Republic of China and has the honour to state as follows:

According to recent Chinese news reports, a cruise ship named Nanhai Zhi Meng will start its maiden tour to the Hoang Sa (Paracel) archipelago from September 2017 for the Zhejiang tourism market.

From 29 August 2017, China's Maritime Safety Administration issued navigational warnings No. HN0083, No. HN0084, No. HN0085 and No. HN0086 notifying China's live ammunition military training at the Hoang Sa archipelago of Viet Nam.

As stated time and again before, Viet Nam possesses ample historical evidence and legal basis to affirm its sovereignty over the Hoang Sa and Truong Sa (Spratly) archipelagoes. China's above-mentioned actions have gravely infringed upon Viet Nam's sovereignty over the Hoang Sa archipelago, thus threatening the peace and stability in the region and in the East Sea (South China Sea).

Viet Nam strongly opposes those actions and sternly requests China to respect Viet Nam's sovereignty over the Hoang Sa and Truong Sa archipelagoes, refrain from recurrence of similar acts, uphold the Viet Nam-China Agreement on the Basic Principles Guiding the Settlement of Sea Issues signed on 11 October 2011, the Declaration on the Conduct of Parties in the South China Sea (DOC) signed in 2002 by ASEAN and China, put an end to any actions which further complicate the situation, fully observe international law and other diplomatic and legal processes, make positive and practical contributions to the development of the friendly and cooperative relationship between Viet Nam and China as well as the maintenance of peace and stability in the East Sea.

Viet Nam, once again, reaffirms its resolute determination to protect its sovereignty, sovereign rights, jurisdiction and lawful and legitimate interests in the East Sea through peaceful means in accordance with international law, including the United Nations Charter and the 1982 United Nations Convention on the Law of the Sea.

The relationship between the two countries over the past years has maintained positive development. The two sides have also continued exchanges of views concerning issues at sea, promoted the three working groups on maritime issues. In that spirit, Viet Nam desires to continue, with China, to materialise the consensus reached by the high-level Leaders of the two countries, foster the development of the Viet Nam-China comprehensive strategic cooperative partnership, and, at the same time, manage differences at sea at best to maintain peace and stability in the East Sea.

The Ministry of Foreign Affairs of the Socialist Republic of Viet Nam avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the People's Republic of China the assurances of its highest consideration.

Ha Noi, 7 September 2017

Annex III to the letter dated 29 September 2017 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General

The Ministry of Foreign Affairs of the Socialist Republic of Viet Nam presents its compliments to the Ministry of Foreign Affairs of the People's Republic of China, and with reference to the recent Chinese official documents, including the Statement of July 12, 2016 of the Government of the People's Republic of China and its White Paper released on 13 July 2016, has the honour to state as follows:

1. Viet Nam resolutely opposes and rejects all the wrong contents and arguments mentioned in the above-said documents which seriously infringed upon Viet Nam's territorial sovereignty, legal rights and interests in the East Sea (South China Sea).

2. Viet Nam once again reiterates its consistent position that Viet Nam has ample legal basis and historical evidence to affirm Viet Nam's sovereignty over the Hoang Sa Archipelago (the Paracel Islands) and the Truong Sa Archipelago (the Spratly Islands). China's use of force in the East Sea in 1974 and 1988 respectively cannot give rise to any title to it over these territories of Viet Nam.

3. Viet Nam affirms that the limit of the maritime zones as well as maritime entitlement and interests of all coastal states bordering the East Sea, including Viet Nam and China, are expressly and adequately provided for under the 1982 United Nations Convention on Law of the Sea (UNCLOS). Therefore, Viet Nam resolutely opposes and rejects any Chinese claim over "historic rights" as well as sovereign rights or jurisdiction based on the "nine-dash line" or any other Chinese claim based on reefs/rocks in the East Sea which is incompatible with the UNCLOS and other rules of international law.

4. Viet Nam is willing to work with China and other parties concerned to promote the process of settlement of disputes over territorial sovereignty as well as other disputes relevant thereto in the East Sea through peaceful means as prescribed under international law.

The Ministry of Foreign Affairs of the Socialist Republic of Viet Nam avails itself this opportunity to renew to the Ministry of Foreign Affairs of the People's Republic of China the assurances of its highest consideration.